

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

EDDIE L. DILLARD, #254178,

Plaintiff,

v.

CASE NO. 2:14-CV-10198
HONORABLE ARTHUR J. TARNOW

WAYNE CO. DIST. & CIR. CT, et al.,

Defendants.

ORDER DENYING MOTION FOR RECONSIDERATION

This matter is before the Court on Plaintiff's motion for reconsideration concerning the Court's denial of his motion for relief from judgment under Federal Rule of Civil Procedure 60(b)(4) regarding the Court's denial of his request to reopen this closed civil rights case brought pursuant to 42 U.S.C. § 1983. Plaintiff essentially seeks reconsideration of the Court's dismissal of, and refusal to reconsider, his complaint, which challenged his state criminal proceedings and raised claims regarding the validity of the felony warrant, the state court's jurisdiction, and the judicial officers' authority.

Plaintiff's motion must be denied. A motion for reconsideration which presents issues already ruled upon by the district court, either expressly or by reasonable implication, will not be granted. *Hence v. Smith*, 49 F. Supp. 2d 547, 550 (E.D. Mich. 1999); *Czajkowski v. Tindall & Assoc., P.C.*, 967 F. Supp. 951, 952 (E.D. Mich. 1997). Plaintiff has not met his burden of showing a palpable defect by which the Court has been misled or his burden of showing that a different disposition must result from a correction thereof, as required by

Local Rule 7.1(h)(3). The Court properly dismissed the complaint pursuant to *Heck v. Humphrey*, 512 U.S. 477, 486-87 (1994), for failure to state a claim against the state courts who are not persons subject to suit, and on the basis of Eleventh Amendment and judicial immunity. The Court also properly refused to reopen this case and/or to grant relief from judgment. Accordingly, the Court **DENIES** Plaintiff's motion. This case is closed. No further pleadings should be filed in this matter. Further pleadings will be stricken.

IT IS SO ORDERED.

S/Arthur J. Tarnow

Arthur J. Tarnow
Senior United States District Judge

Dated: July 8, 2014

I hereby certify that a copy of the foregoing document was served upon parties/counsel of record on July 8, 2014, by electronic and/or ordinary mail.

S/Catherine A. Pickles

Judicial Assistant